INITIAL STUDY/
NEGATIVE DECLARATION

Congregation Sinai Expansion and Housing

Prepared by the

City of San José

May 2003

TABLE OF CONTENTS

FIGURES

TABLES

APPENDICES

I. INTRODUCTION AND PURPOSE

This Initial Study of environmental impacts is being prepared to conform to the requirements of the California Environmental Quality Act (CEQA) and the CEQA Guidelines (California Code of Regulations §15000 et.seq.).

This Initial Study evaluates the potential environmental impacts that might reasonably be anticipated to result from the implementation of the proposed Planned Development (PD) zoning of the site to allow the expansion of the existing Congregation Sinai religious facility and the construction of up to 21 single-family residences.

II. PROJECT INFORMATION

A. PROJECT TITLE

Congregation Sinai Expansion and Housing

B. PROJECT LOCATION

The proposed project site is located east of Meridian Avenue, at the east end of Willowbrae Avenue, in the City of San José.

C. LEAD AGENCY NAME AND ADDRESS

City of San José
Department of Building, Planning, and Code Enforcement
801 North First Street, Room 400
San José, CA 95110

D. CONTACT PERSONS AND TELEPHONE NUMBER

Anastazia Aziz, Planner II, 277-4576

E. PROPERTY OWNER'S NAME AND ADDRESS

Congregation Sinai
1532 Willowbrae Avenue
San José, CA 94125

F. ZONING DISTRICT AND GENERAL PLAN DESIGNATION

Zoning: R-1-8 Residence District

General Plan Designation: Medium Low Density Residential (8 DU/AC)

III. DESCRIPTION OF THE PROJECT

A. OVERVIEW OF THE PROJECT

The project proposes expansion of the existing Congregation Sinai religious facility and the construction of up to 21 single-family, alley-access, residences on an approximately four-acre site in the Willow Glen area of central San José. All existing structures on the project site will be demolished except for the religious sanctuary building.

B. PROJECT INFORMATION

1. Project Location and Existing Uses

The approximately four-acre project site is located approximately 900 feet east of Meridian Avenue, on the south side of Willowbrae Avenue, in the City of San José. A vicinity and regional map are shown on Figures 1 and 2, respectively. The project site is comprised of Assessor's Parcels Numbers (APN#'s) 429-48-013, 429-48-014, and 429-48-055. Existing uses on the project site include the Congregation Sinai religious facility and two single-family residences. The existing 11,159 square foot Congregation Sinai religious facility is located on two parcels (APN#'s 429-48-013 and 429-48-014) which total 2.03 acres. Existing uses at the complex include a sanctuary (4,167 square feet), social hall (3,035 square feet), classrooms (2,235 square feet), and a preschool (1,722 square feet). The two existing single-family residences are located on a 1.97-acre parcel (APN# 429-48-055) at the east end of the site.

A remnant segment of Dry Creek is located on the eastern side of the project site. Dry Creek is an inactive creek channel resulting from the historic relocation of Los Gatos Creek. An aerial photograph of the project site and surrounding area is shown on Figure 3.

2. Project Description

The project proposes expansion of the existing Congregation Sinai religious facility, from 11,159 square feet to 23,414 square feet, for a net increase of 12,255 square feet, and construction of up to 21 single-family detached residences. Prior to construction, all existing structures on the project site will be demolished, except for the religious sanctuary building that will be converted to classrooms. The project will construct sidewalks along the site's frontage on Willowbrae Avenue. A site plan of the proposed project is shown on Figure 4.

Congregation Sinai Religious Facility

The expanded Congregation Sinai religious facility will be constructed entirely within APN#'s 429-48-013 and 429-48-014 (2.03 acres). Similar to the existing facility, the proposed facility will include a sanctuary, social hall, classrooms and a preschool. In addition, the following new uses are proposed by the project; a chapel/library, administrative offices, and an outdoor garden/courtyard area. Buildings within the religious facility will be two stories (up to 40 feet tall). Elevations of the proposed facility buildings are shown on Figure 5. Parking for the facility will be provided for the most intense use (religious services) at a ratio of one space per four seats. A total of 86 off-street parking spaces will be provided for the expanded Congregation Sinai religious facility. Fifty seven percent of the

parking spaces will be on "grasscrete" and the remainder will be on conventional pavement[1]. Vehicular access to the complex will continue to be from Willowbrae Avenue. Landscaping will be provided along the perimeter and within the parking and courtyard areas of the facility. The expanded and new uses are described in further detail below.

Sanctuary

The sanctuary is used for religious services that are held every Saturday between the hours of 9:00 am and 1:00 pm. The remodeled sanctuary is designed for a capacity of 300 seated individuals and will be 2,200 square feet in size. Currently, typical attendance ranges between 40 and 70 people (attending two separate but simultaneous services).

The sanctuary is also used between the hours of 9:00 am and 1:00 pm on Jewish Holidays (10 days per year). Attendance for these services is similar to that for the regular Saturday services. The High Holidays (Rosh Hashanah and Yom Kippur) are the busiest days for the sanctuary. Services for the two days of Rosh Hashanah run between 8:30 am to 2:00 pm and the services for the two days of Yom Kippur run from 6:00 pm to 10:00 pm on the first day and 8:00 am to 7:30 pm on the next day. Yom Kippur has the highest attendance, with about 275 people attending last year's services.

Library/Chapel

The library/chapel will accommodate up to 70 seated people. The library/chapel will be used for smaller religious services when the main sanctuary is not required and also for the other regularly scheduled simultaneous Saturday service, as mentioned above[2].

Social Hall

The social hall is planned to serve a dual function, as a dining hall and a sanctuary for the occasions (three days per year) when the expected attendance will exceed the capacity of the sanctuary. The Social Hall will be 7,100 square feet in size and will accommodate 300 seated people for dining. When used as a sanctuary three days per year, it will be configured to seat up to 395 people.

When used for religious services, the hours of operation will be the same as those indicated for the sanctuary. When used as a dining hall, the general hours of operation will be on Saturday and/or Sunday evenings between 1:00 pm and 11:00 pm. The sanctuary and social hall will not be used simultaneously.

Adjacent to the social hall will be a garden/courtyard area. This is intended to be multi-use area where people can relax and converse outside of the main worship area during services. When weather permits, this area may also be used as a site for hors d'ouevres in conjunction with functions taking place in the social hall.

[1] "Grasscrete" consists of porous reinforced concrete, which allows for a stable yet permeable surface that results in substantially less runoff than pavement.
[2] Barry Mirkin, Personal Communication, May 12, 2003.

Classrooms

The classrooms will be used as a part-time school for the religious instruction of children between the ages of five and 13. Classes are held on Sundays from the hours of 9:00 am to 12:00 pm and on Wednesdays from 4:30 pm to 6:00 pm. Currently, there are 30 children enrolled in the school with four professional staff members. The classroom area will be located on the second story of the Social Hall and will be about 6,800 square feet in size. The area will contain six classrooms, office space for the staff, and storage space. A maximum school enrollment of 30 students is anticipated.

Preschool

The Congregation Sinai Nursery School is open to children two to five years of age. The expanded nursery school will occupy 2,800 square feet and will accommodate up to 50 children and six staff members. The preschool is open from mid September to early June, between the hours of 8:30 am and 1:30 pm, Monday through Friday (excluding Jewish and secular holidays).

Single-family Residences

The proposed 21 single-family residences will be constructed entirely within APN# 429-48-055 (1.97 acres). The residences will be two stories tall, with a maximum height of 30 feet, and each will be approximately 2,000 square feet in size. Typical elevations of the proposed residences are shown on Figure 5. Each residence will include four bedrooms and a two-car garage. Thirteen guest parking spaces are also proposed by the project. The project includes the construction of an internal roadway network to serve the residences that will extend from the east end of Willowbrae Avenue. The garages will be located at the rear of each residence and will be accessed by an alley. Walkways will provide access to the front door of the residences. Sidewalks and street trees will be provided along all roadways within the project site.

Stormwater Drainage

Stormwater runoff from the proposed project will be collected by a series of catch basins located throughout the site and diverted over grassy swales into the remnant section of Dry Creek, where it will percolate into the soil. There will be two outfall locations into the remnant section of Dry Creek. Flow dissipaters such as rocks and landscaping will be located at each outfall to prevent erosion.

G. CONSISTENCY WITH PLANS AND POLICIES

The following section discusses the consistency of the proposed project with relevant plans and policies, in conformance with Section 15063(d)(5) of the CEQA Guidelines.

Bay Area 2000 Clean Air Plan
Bay Area Air Quality Management District

1. Regional Plans and Policies

The 2000 Clean Air Plan ('00 CAP) was adopted in 2000 and established regional policies and guidelines to meet the requirements of the Clean Air Act, amended through 1990. The Bay Area is a non-attainment area for ozone and PM10, since federal standards are exceeded for these pollutants.

The Bay Area '00 Clean Air Plan was adopted in 2000. It outlines measures and improvements to help the Bay Area comply with the State's ozone standard, and is the current regional strategy for improving air quality. The Plan proposes the adoption of transportation, mobile sources and stationary source controls on a variety of pollutant sources to offset population growth and provide improvement in air quality. The consistency of the proposed project with this regional plan is primarily a question of the consistency of the population/employment assumptions utilized in developing the Plan. The '00 CAP was based on the City's General Plan in effect at the time the CAP was approved (which was the San José 2020 General Plan amended through 1998).

The proposed project is a PD zoning to allow the development of up to 21 single-family dwelling units on the eastern 1.97-acre parcel (APN# 439-48-055) and the expansion of the existing Congregation Sinai religious facility on the remainder of the site. The PD zoning would allow residential densities greater than what is currently allowed by the existing General Plan designation by increasing the density on the 1.97-acre parcel from eight dwelling units per acre (DU/AC) to approximately 11 DU/AC. This zoning change would allow a net increase of approximately five dwelling units on the parcel. This increase in dwelling units is, however, consistent with the General Plan under the Discretionary Use Policy of the Two-Acre Rule, which allows for higher density development with innovative design solutions on infill sites of two acres or less.

Additionally, the Clean Air Plan states that housing projects that are designed to encourage pedestrian travel and public transit would be considered to offset incremental increases in air quality[3]. The project proposes to develop housing at an infill location near public transit (bus stops) and would integrate design features, such as new sidewalks and landscaping, to encourage alternative modes of transportation including walking, bicycling, and public transit. Because the project includes design features to encourage pedestrian travel, is near public transit, and conforms to the Two-Acre Rule in the General Plan, it is consistent with the CAP and the General Plan.

Consistency: Because the project site complies with the Two-Acre Rule, is located at an infill location within walking distance of public transit, and will encourage alternate modes of

[3] BAAQMD, *Bay Area '97 Clean Air Plan, Volume II, Appendix E, Transportation Control Measure Descriptions,* TCM 19, pg. E-41-42.

transportation through the project design, the proposed project is consistent with the Clean Air Plan.

2. Local Plans and Policies

City of San José 2020 General Plan

The City of San José's General Plan is an adopted statement of goals and policies for the future character and quality of development in the community as a whole. The following is a summary of relevant sections of the General Plan that would apply to the proposed project.

Land Use/Transportation Diagram

The project site is designated *Medium Low Density Residential (8 DU/AC)* in the Land Use/Transportation Diagram of the City of San José 2020 General Plan. The proposed project is a Planned Development (PD) zoning to allow the development of up to 21 single-family housing units on a 1.97-acre parcel and the expansion of the existing Congregation Sinai religious facility on 2.03 acres in central San José. This zoning change would result in a net increase of approximately five dwelling units compared to the potential development under the existing General Plan designation and zoning, and will allow for an additional 12,200 square feet of religious facility uses on the site.

In the General Plan Discretionary Alternate Use Policy, under the Two-Acre Rule, the City encourages development at some infill sites that are two acres or less by allowing a use other than that designated in the Land Use/Transportation Diagram. The Two-Acre Rule was written because the City recognizes that for some infill sites there may be physical or environmental constraints and development may require innovative design solutions. To support development on parcels of two acres or less, development must comply with the following two conditions: 1) parcels with a residential land use designation may be developed at a higher or lower density range. The appropriate density for a given site should be determined based on compatibility with surrounding land uses. Projects developed under this policy should be of exceptional design; and 2) parcels with a non-residential land use designation may be developed under any residential or non-residential category.

The proposed project will allow the development of up to 21 residences on a parcel that is less than two acres and the expansion of the existing Congregation Sinai religious facility from 11,159 square feet to 23,394 square feet. The project will be developed with optimal design features, will be compatible with the existing single-family residential and multi-family residential neighborhood and will comply with all City ordinances and policies.

Consistency: The proposed project will rezone the site to allow the development of up to 21 single-family residential units and the expansion of the existing Congregation Sinai religious facility. The project is designed to be consistent with the adjacent land uses and will include new parking, landscaping, and public improvements. The project is, therefore, consistent with the General Plan under the Discretionary Alternate Use Policy Two-Acre Rule.

IV. ENVIRONMENTAL SETTING & CHECKLIST

This section will describe the existing environmental conditions on and near the subject site as well as environmental impacts associated with the proposed project. The environmental checklist as recommended in the California Environmental Quality Act (CEQA) Guidelines was used to identify environmental impacts that could occur if the proposed project is implemented. The right-hand column in the checklist lists the source(s) for the answer to each question. The sources cited are identified at the end of the checklist. This section will clearly identify all potential environmental impacts from the project, including an explanation for those issues determined to be less than significant. Mitigation measures are identified and described for all potentially significant impacts, and evaluated briefly for the expected effectiveness/feasibility of these measures, where necessary.

A. AESTHETICS

1. Setting

The approximately four-acre project site is located in a residential neighborhood in central San José. The flat project site is developed with the Congregation Sinai religious facility and two single family residences. Large portions of the site are undeveloped and heavily vegetated with trees and shrubs. Most of the trees on the site are non-native landscape species, including privet, pine, plum, eucalyptus, and acacia. The project site is visible from Willowbrae Avenue and the adjacent residences.

Views from the project site include one and two-story single-family residences to the north and east and two-story multi-family residential units to the west and south.

2. Environmental Checklist and Discussion

AESTHETICS						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒	☐	1,2
2) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒	☐	1,2
3) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐	☐	1,2

AESTHETICS						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
4) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐	☐	1

Discussion: The project site is located in a developed area that is surrounding by a single-family and multi-family residential neighborhood. The majority of the project site is undeveloped and vegetated with several species of trees. The proposed project will change the existing visual character of the site by redeveloping the eastern half of the site with 21 single-family residences and expanding the existing religious facility on the site.

The proposed project will increase light and glare on the site from new pavement, buildings, and lighting. The lighting and glare created by the project, however, will be consistent with the surrounding residential land uses, and the project will conform to applicable lighting standards as required by the City of San José.

The landscaping proposed by the project includes the planting of trees and shrubs throughout the site. Street trees will be planted along all new roadways proposed by the project. The remnant segment of Dry Creek along the eastern boundary of the site has been specifically identified as a planting area to reduce the visibility of the project from the adjacent residences to the east. No existing trees will be removed from the creek channel.

The project site does not contain any designated scenic vistas or scenic resources, and is not located near a state scenic highway.

3. Conclusion

The proposed project would not substantially degrade the existing visual character or quality of the site and its surroundings. Development of the proposed project will have a less than significant aesthetic impact.

B. AGRICULTURAL RESOURCES

1. Setting

The project site is located in an urban area of San José and is surrounded by residential development. The project site is currently developed with residential and religious facility uses and is not used for agricultural purposes. The site is not designated by the California Resources Agency as Farmland of any type, and is not the subject of a Williamson Act contract. There is no property used for agricultural purposes adjacent to the project site.

2. Environmental Checklist and Discussion

AGRICULTURAL RESOURCES						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒	☐	3
2) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒	☐	4
3) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	☒	☐	1

Discussion: The project site is not used for agricultural purposes and has not been so used for decades. The project site is currently developed with residential and religious facility uses and is not used for agricultural purposes. The site is not designated by the California Resources Agency as Farmland of any type, and is not the subject of a Williamson Act contract. There is no property used for agricultural purposes adjacent to the project site.

3. Conclusion

The project will have no adverse impact on agricultural land or agricultural activities.

C. AIR QUALITY

1. Setting

Regional and Local Air Quality

Air quality and the amount of a given pollutant in the atmosphere are determined by the amount of pollutant released and the atmosphere's ability to transport and dilute the pollutant. The major determinants of transport and dilution are wind, atmospheric stability, terrain and for photochemical pollutants, sunshine.

The Bay Area typically has moderate ventilation, frequent inversions that restrict vertical dilution and terrain that restricts horizontal dilution. These factors give the Bay Area a relatively high atmospheric potential for pollution.

The Bay Area Air Quality Management District (BAAQMD) monitors air quality at several locations within the San Francisco Bay Air Basin. The monitoring site closest to the project site is in Downtown San José, on Fourth Street. According to the most current available data available from BAAQMD, state standards for ozone were exceeded in 1999 and 2001 at the Downtown monitoring site and state standards for PM 10 (particulate matter) were exceeded at the Downtown monitoring site in 1999, 2000, and 2001. Federal standards were not exceeded for any pollutants at the Downtown monitoring station in 1999, 2000, and 2001. Violations of the carbon monoxide standards were recorded prior to 1992. A summary of the air quality for downtown San José is shown in Table 1 below.

Table 1: Summary of Air Quality for Downtown San José

Pollutant	Standard	Days Exceeding Standard in:		
		1999	2000	2001
Ozone	State/Federal	3/0	0	2/0
Carbon Monoxide	State/Federal	0	0	0
Nitrogen Dioxide	State/Federal	0	0	0
PM10	State/Federal	5/0	7/0	4/0

Of the three pollutants known to exceed the state and federal standards in the project area, two are regional pollutants. Both ozone and PM10 are considered regional pollutants in that the concentrations are not determined by proximity to individual sources, but show a relative uniformity over a region. The third pollutant, carbon monoxide, is considered a local pollutant because elevated concentrations are usually only found near the source.

The Federal Clean Air Act and the California Clean Air Act of 1988 require that the State Air Resources Board, based on air quality monitoring data, designate portions of the state where the federal or state ambient air quality standard are not met as "nonattainment area". Because of the differences between the national and state standards, the designation of nonattainment areas is different under the federal and state legislation. Under the California Clean Air Act, Santa Clara County is a nonattainment area for PM10. The county is either in attainment or unclassified for other pollutants.

Sensitive Receptors

The Bay Area Air Quality Management District (BAAQMD) defines sensitive receptors as facilities where sensitive receptor population groups (children, the elderly, the acutely ill and the chronically ill) are likely to be located. These land uses include residences, schools playgrounds, child-care centers, retirement homes, convalescent homes, hospitals and medical clinics. Sensitive receptors in the project area include the surrounding residences and the existing nursery school on the project site.

2. Environmental Checklist and Discussion

AIR QUALITY						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒	☐	1,5
2) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐	☐	5
3) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐	☐	5
4) Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐	☐	1,5
5) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒	☐	1,5

Discussion: The Bay Area Air Quality Management District (BAAQMD) has established thresholds for development that could be considered to have a significant impact on existing air quality. A project that generates more than 80 pounds per day of reactive organic gases (ROG) will have a significant impact on regional air quality, according to BAAQMD guidelines. The District generally does not recommend a detailed air quality analysis for projects generating fewer than 2,000 vehicle trips per day, unless warranted by the specific nature of the project setting[4]. The proposed project will generate substantially less than 2,000 new vehicle trips per day[5]. The proposed project will not result in significant long-term air quality impact, based on BAAQMD criteria.

[4] *BAAQMD CEQA Guidelines,* Dec. 1999.
[5] Kristiann Choy, Traffic Engineer, Fehr and Peers, Personal Communication, May 13, 2003.

Construction-Related Impacts

Construction activities such as demolition, excavation, construction vehicle traffic and wind blowing over exposed earth will generate exhaust emissions and fugitive particulate matter emissions that will affect local and regional air quality. Construction activities are also a source of organic gas emissions. Solvents in adhesives, non-waterbase paints, thinners, and other construction materials will evaporate into the atmosphere and will participate in the photochemical reaction that creates urban ozone. Asphalt used in paving is also a source of organic gases for a short time after its application.

Construction dust could affect local air quality at various times during construction of the project. The dry, windy climate of the area during the summer months creates a high potential for dust generation when and if underlying soils are exposed to the atmosphere.

The effects of construction activities will be increased dustfall and locally elevated levels of PM10 downwind of construction activity. Construction dust has the potential for creating a nuisance[6] at nearby properties and will impact adjacent sensitive receptors, including residents and the children at the nursery school on the site.

Impact: During construction, the proposed project could result in significant short-term air quality impacts associated with dust generation.

Mitigation and Avoidance: The BAAQMD has prepared a list of feasible construction dust control measures that can reduce construction impacts to a level that is less than significant. The following construction practices will be implemented during all phases of construction on the project site:

- Use dust-proof chutes for loading construction debris onto trucks.
- Water to control dust generation during demolition of structures and break-up of pavement.
- Cover all trucks hauling demolition debris from the site.
- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.
- Sweep daily (with water sweepers) all paved access road, parking areas and staging areas at construction sites.
- Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.
- Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.).
- Install erosion control measures to prevent silt runoff to public roadways.

[6]The word nuisance is used in this Initial Study to mean "annoying, unpleasant or obnoxious" and not in its legal sense.

- Replant vegetation in disturbed areas as quickly as possible.

- If concrete or pavement is recycled on-site, misters and/or other water sources will be used to avoid generation of visible dust plumes

3. Conclusion

The proposed project will not result in significant local or regional air quality impacts. Short-term air quality impacts associated with construction will be reduced to less than significant levels with the inclusion of proposed mitigation measures.

D. BIOLOGICAL RESOURCES

The following discussion is based on a biological resources report prepared for the project site by *Olberding Environmental, Inc.* on April 14, 2003 and a tree survey conducted on the project site by *Hortscience, Inc.* in January 2001. A copy of the biological resources report is included as Appendix A of this Initial Study and a reduced copy of the tree survey is included as Appendix B. A full-size copy of the tree survey is available for review at the City of San José Department of Planning, Building, and Code Enforcement.

1. Setting

Vegetation and wildlife surveys of the site were conducted on December 22, 2000, and April 14, 2003. The project site is surrounded by residential development and is urban in nature. The vegetation on the project site provides habitat for animal species adapted to human encroachment such as mocking birds, mourning doves, and tree squirrels. The eastern boundary of the project site includes a remnant segment of Dry Creek, which has been historically filled above and below the project site, resulting in the elimination of any visible stream features.

Three primary habitats were identified within the boundaries of the project site, including urban landscaping, ruderal vegetation, and remnant riparian. The majority of the project site consists of urban landscaping and ruderal vegetation. There are 195 trees on the project site. Most of these trees on the project site were planted, but some are native to the site. Ruderal vegetation occurs within the gaps of the tree canopy where sunlight reaches the ground and leaf litter is absent. Most of the ruderal vegetation of the site consisted of non-native weed species. Remnant riparian habitat is located within the historic Dry Creek channel that forms the eastern boundary of the project site. The channel is now dry and does not carry any flows or drainage.

Special Status Plants and Animals

Review of information contained in the California Natural Diversity Data Base (CNDDB) and the results of a field reconnaissance survey of the project site did not identify the presence of any special status species or habitat types that could be utilized by special status species.

Burrowing Owl

Burrowing owls require open annual grassland in which to nest and use abandoned ground squirrel holes for their burrow sites. The project site is well vegetated with trees and shrubs. A burrowing owl survey was conducted on the morning of April 15, 2003. No owls were observed and no evidence of use was documented such as castings, droppings, or feathers. The lack of potential burrow sites and overall inappropriate habitat on the site makes the project site unsuitable for nesting burrowing owl or even transient burrowing owl.

Regulated Habitats

The remnant section of what formally consisted of Dry Creek is not regulated by the California Department of Fish and Game (CDFG) or the United States Army Corps of Engineers (USACE). The site does not meet the definition of a creek. This conclusion is

based on the established definition of CDFG jurisdiction[7]. A preliminary USACE jurisdictional delineation conducted at the project site did not identify any feature that would be considered regulated wetland or waters of the United States.

Mature Trees

The City of San José Tree Ordinance defines an ordinance size tree as "any woody perennial plant characterized by having a main stem or trunk which measures 56 inches or more in circumference (18 inches in diameter) at a height of 24 inches above natural grade slope". There are a total of 195 trees on the project site, of which 49 are ordinance size.

2. Environmental Checklist and Discussion

BIOLOGICAL RESOURCES						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒	☐	9
2) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒	☐	9
3) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒	☐	9
4) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, impede the use of native wildlife nursery sites?	☐	☐	☐	☒	☐	9

[7] Verbal communication with Warden Mark Imsdal.

BIOLOGICAL RESOURCES						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
5) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐	☐	10
6) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒	☐	9

Discussion: The project site is surrounded by residential development and is urban in nature. Habitat on the site consists primarily of urban landscaping and ruderal vegetation. Remnant riparian vegetation exists along the eastern boundary of the site. The field reconnaissance survey conducted on the project site did not identify the presence of any special status species or habitat types that could be utilized by special status species. The site does not contain any water features which could be conducive to the establishment of wetland habitat. There are no streams, creeks, or waterways on or adjacent to the project site. The remnant section of what formally consisted of Dry Creek is not regulated by the California Department of Fish and Game (CDFG) or the United States Army Corps of Engineers (USACE). Urban landscaped and ruderal habitat is common in the Bay Area, and the project site does not provide habitat for any special status species. Therefore, project impacts to the habitat on the site will not be significant.

Rare, threatened, endangered and sensitive plants, animals and natural communities are not expected or likely to occur on the project site. This conclusion is based upon the fact that the site does not contain suitable habitat for any of these species and none of these species were observed during surveys.

Ordinance Size Trees

The proposed project will result in the loss of 139 trees, of which 31 are ordinance size. The removal of an ordinance size tree is a significant impact. The trees within the remnant segment of Dry Creek on the project site will not be removed. Reduced copies of the tree survey are included as Appendix B of this document. Full size copies of the tree survey are available on file at the City of San José Department of Planning, Building, and Code Enforcement.

Impact: The proposed project will result in the removal of 31 ordinance size trees.

Mitigation and Avoidance: The following mitigation measure is proposed by the project to reduce the loss of ordinance size street trees to a less than significant level:

- To the extent feasible, existing healthy and mature trees will be incorporated into the project landscaping.

- Each ordinance-size tree removed by the proposed project will be replaced by four 24-inch box trees.

Although no nesting raptors were observed during field surveys on the project site, due to the numerous mature trees on the site, there is the potential for nesting raptors to be present at the time of construction. The disturbance of a nesting raptor that causes loss of life or failure of the reproductive effort is a significant impact.

Impact: Nesting raptors may be present on the project site at the time of construction.

Mitigation and Avoidance: The following mitigation measure is proposed by the project to avoid impacts to nesting raptors:

The nesting season for raptors extends from February 1 through August 31. If disturbance or removal of trees can be scheduled before February 1 or after August 31, a preconstruction survey for nesting raptors is not required. If construction (i.e., grading, tree removal or tree pruning) is scheduled during the nesting season, a preconstruction survey for nesting raptors will be conducted. If necessary, the preconstruction survey will be performed no more than 30 days prior to any tree removal, pruning of limbs or grading scheduled during the nesting season. If active nests are present, a buffer zone of at least 200 feet will be provided to protect raptor adults and nestlings from construction disturbances. The designation of buffer zones will be determined, based on the species involved, site conditions, and in consultation with the California Department of Fish and Game.

3. Conclusion

Implementation of the proposed project, with the mitigation measures described above, will not result in significant impacts to biological resources.

E. CULTURAL RESOURCES

The following discussion is based upon an Archaeological Survey completed by *William Self Associates* for the eastern half of the project site on October 30, 2000. A copy of the report is available for review at the City of San José Department of Planning, Building, and Code Enforcement.

1. Setting

Archaeological Resources

Archaeological research of the eastern half of the project site was initiated with a search of relevant records, maps, and archives maintained by the Northwest Information Center of the California Historical Resources Information System (CHRIS) at Sonoma State University and surface reconnaissance of the project site. Archival research indicated that there are no known historic or prehistoric cultural resources within one-quarter mile of the project site and there are no records of archaeological surveys conducted in the project area.

Surface reconnaissance of the eastern half of the site for the presence of historic or prehistoric indicators was conducted on October 24, 2000. No cultural resources were observed during the visual inspection this portion of the site.

Historic Structures

Existing structures on the site include the Congregation Sinai Religious Facility and two single family houses. The religious sanctuary building was constructed in the mid 1950s. The social hall and classrooms were constructed in the 1960s and the preschool building was moved onto the site in the 1960s. The two houses were built in 1945 and 1948.

The historical significance of the houses was evaluated during the archaeological survey. The house built in 1945 is an L-shaped modern adobe structure. At least two additions have been made to the main structure over the years, including a red brick fireplace and a red brick kitchen area. The house built in 1948 is a simple box-shaped wooden building on a concrete slab foundation with an associated shed-style carport. The houses are not considered significant historic resources, because they fail to meet any of the specific criteria set forth in either Title 36, Part 60, of the Code of Federal Regulations or the California Environmental Quality Act.

2. Environmental Checklist and Discussion

CULTURAL RESOURCES						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project: 1) Cause a substantial adverse change in the significance of an historical resource as defined in §15064.5?	☐	☒	☐	☐	☐	1,11

2)	Cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5?	☐	☒	☐	☐	☐	11
3)	Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?	☐	☐	☒	☐	☐	1
4)	Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐	☐	11

Discussion: The project proposes expansion of the existing Congregation Sinai religious facility and the construction of up to 21 single-family residences on the four-acre site. All existing structures on the project site will be demolished, except for the religious sanctuary building. Although the record search indicated that there are no known cultural resources within one-quarter mile of the project site and there were no cultural resources found during the visual inspection of the eastern half of the project site, the project site is in an archaeologically sensitive area and the potential remains for cultural resources to be uncovered during excavation activities associated with construction of the proposed project.

The existing structures on the project site are not listed and are not eligible for listing in the San José Historic Resource Inventory, the California Register of Historic Resources, or the National Register of Historic Places. Therefore, the proposed project will not impact a historic resource.

Impact: Cultural resources may be uncovered during excavation activities associated with construction of the proposed project.

Mitigation and Avoidance: The following mitigation is included in the project to reduce potential impacts to buried cultural resources to a less than significant level:

- In the event any significant cultural materials are encountered, all construction within a radius of 50-feet of the find would be halted, the Director of Planning, Building and Code Enforcement would be notified, and a qualified archaeologist will examine the find and make appropriate recommendations regarding the significance of the find and the appropriate mitigation. Recommendations could include collection, recordation, and analysis of any significant cultural materials.

3. Conclusion

Implementation of the proposed project, with inclusion of the above mitigation measure, will not result in significant impacts to cultural resources.

F. GEOLOGY AND SOILS

The following discussion is based upon geotechnical investigations of the project site completed by *Lowney Associates* on March 14, 2003 and April 1, 2003, and the *Cooper-Clark, Geotechnical Investigation for the City of San José's Sphere of Influence* (1974). The geotechnical reports from *Lowney Associates* are included as Appendix C of this Initial Study.

1. Setting

The project site is located on a valley floor at an elevation of approximately 160 feet above sea level. Except for the slope down to the remnant portion of Dry Creek on the east side of the site, the site is relatively level. Due to the flatness of the site, the potential for landslides and erosion is low. The entire project site is underlain by Garreston fine sandy loam, which has a low shrink swell potential and good natural drainage.

The project site is located in a seismically active region. The site is not located in an Alquist-Priolo Special Study Zone or within a City of San José Seismic Hazard Zone, and no known faults cross the project site. Therefore, primary ground rupture on the site is unlikely. The site, however, will be subject to severe ground shaking. The closest active fault to the project site is the San Andreas, which is located nine and one-half miles to the southwest of the project site. The closest potentially active fault to the project site is the Monte Vista-Shannon fault, which is located four and one-half miles southwest of the project site.

Borings conducted to a depth of 35 feet on the project site did not encounter groundwater. Groundwater in the project area is expected to be at depths of approximately 50 feet.

Liquefaction is a seismic hazard in which soils are temporarily transformed into a liquid state during the stress of an earthquake. Soils most susceptible to liquefaction are clean, loose, saturated, and uniformly graded, fine grained sands. The sands encountered on the site were medium dense, contained significant amount of fines, and were not saturated. Therefore, the potential for liquefaction to occur on the project site is considered low.

Lateral spreading is the horizontal displacement of soil during a seismic event towards an open face such as a body of water, channel, or excavation. Although a remnant portion of the Dry Creek channel is located on the east side of the site, all of the soils encountered on the site have low liquefaction potential. For this reason, the probability of lateral spreading occurring on the project site during a seismic event is considered to be low.

2. Environmental Checklist and Discussion

GEOLOGY AND SOILS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:						
a) Rupture of a known earthquake fault, as described on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	☐	☐	☐	☒	☐	6,16
b) Strong seismic ground shaking?	☐	☒	☐	☐	☐	6,15,16
c) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒	☐	6,15,16
d) Landslides?	☐	☐	☐	☒	☐	6,15,16
2) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒	☐	6,15,16
3) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒	☐	6,16
4) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒	☐	6,16
5) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒	☐	11

Discussion: The proposed project will not be exposed to liquefaction, landslides, erosion, lateral spreading, or expansive soils.

Although the project site is not on or near an earthquake fault, it is within the seismically active San Francisco Bay Area and moderate to severe ground shaking is probable during the

useful life of the proposed buildings. Therefore, the proposed project may expose people or structures to potential substantial adverse effects, as the result of a seismic event in the project area. This is a significant impact.

Although not found on the project site during the geotechnical investigations, there is the potential for undocumented fill to be present on the site. Undocumented fill, if not removed and replaced with engineered fill, could result in differential settlement. In addition, if disturbed areas (e.g., areas where undocumented fill or foundations are removed) are not adequately filled and recompacted, the fill areas could also result in differential settlement.

Impact: The proposed project may expose people or structures to potential substantial adverse effects, as the result of seismic risk, undocumented fill, or inadequately filled areas.

Mitigation and Avoidance: The following measures are included in the project to reduce potential geology and soil impacts to a less than significant level:

- The proposed project will be designed and built in conformance with a design-level geotechnical investigation prepared specifically for the project and subject to review and approval by the City Geologist; and

- The proposed project will be designed and built in conformance with the requirements of the Uniform Building Code for Seismic Zone 4.

3. Conclusion

Implementation of the proposed project, with inclusion of the above mitigation measures, will not result in significant geology and soils impacts.

G. HAZARDS AND HAZARDOUS MATERIALS

The following discussion is based upon a Phase I Environmental Site Assessment completed for the eastern half of the project site by *Lowney Associates* on March 21, 2003. The objectives of this investigation were to document environmental concerns at the site related to historic chemical use and to evaluate the potential for a release of hazardous materials from on- or off-site sources that could significantly impact the site's soil and/or groundwater quality. The report is included as Appendix D of this Initial Study.

1. Setting

The Phase I Environmental Site Assessment included reconnaissance of the eastern half of the site and adjacent properties for observable indications of current or historic activities that have or could significantly impact the site. The assessment also included a review of regulatory agency files and databases to obtain information about the use and storage of hazardous materials both on- and off-site, and the review of historic aerial photos of the project area.

Areas of concern related to hazardous material contamination on the site include: the potential that asbestos containing materials (ACM's), lead based paint, and fluorescent light ballasts containing polychlorinated biphenyls (PCBs) may be present in existing buildings on the site; the presence of a septic tank on the southeast corner of the project site; the potential of a water well to be present on the project site; the potential presence of soils contaminated with pesticides and related metals on the project site; and the potential for household hazardous wastes to be present on the project site. No hazardous material incidents reported in the site vicinity are likely to significantly impact the project site.

Asbestos, Lead-Based Paint, and Fluorescent Light Ballasts

The use of lead as a paint additive and PCBs in fluorescent light ballasts was not banned until 1978. Asbestos containing materials (ACMs) were commonly used in construction up until 1980. All of the buildings on the project site were constructed prior to 1978; therefore, the buildings may contain asbestos, lead-based paint and/or polychlorinated biphenyls (PCBs). These materials can be a hazard to human health if improperly handled.

Septic System

A septic tank is located on the project site adjacent to the residences. Due to the tanks use for residential purposes, the disposal of significant quantities of hazardous materials to the septic system is unlikely.

Water Supply Well

Prior to connecting with the City's water system in the 1960's, an on-site well supplied water to the residences on the site. Although the well was not observed on the site, it is unclear if the water supply well was properly abandoned in accordance with applicable regulations.

Agricultural Use

Due to the historic agricultural use of the project site, there is the potential for pesticides and related metals to be present on the project site. Ten shallow samples (less than one foot) and

four deeper samples (one to two feet) were collected from the eastern half of the site and analyzed for the presence of organochlorine pesticides, arsenic, lead, and mercury. The detected pesticides generally decreased with depth and were below their respective United States Environmental Protection Agency (USEPA) preliminary remediation goals (PRGs) for residential land use. Metal concentrations were representative of naturally occurring background conditions in the project area.

Household Hazardous Wastes

Household hazardous wastes such as automotive maintenance products, gasoline, paints, solvents, and pesticides, may be stored at the two existing residences on the project site.

2. Environmental Checklist and Discussion

HAZARDS AND HAZARDOUS MATERIALS						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒	☐	1,2
2) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☒	☐	☐	☐	1,12
3) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒	☐	1,2
4) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒	☐	1,2,12
5) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒	☐	1,7

HAZARDS AND HAZARDOUS MATERIALS						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
6) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒	☐	1,7
7) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒	☐	1
8) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒	☐	1

Discussion: The project site is not located within the Santa Clara County Airport Land Use Commission (ALUC) jurisdiction, nor is it designated one of the City's evacuation routes. The project area is not subject to wildfires. Pesticide concentrations on the site are below the preliminary remediation goals (PRGs) set forth by the USEPA and metal concentrations on the site are consistent with naturally occurring background conditions. The septic system on the site has only been used for residential purposes; therefore, the disposal of substantial quantities of hazardous materials into the septic system is unlikely and it is not expected to result in a hazardous materials impact.

Buildings constructed prior to 1980 may contain asbestos and buildings constructed prior to 1978 may contain lead-based paint and/or fluorescent light ballasts containing polychlorinated biphenyls (PCBs). All of the buildings on the project site were constructed prior to 1978; therefore, the buildings may contain asbestos, lead-based paint and/or polychlorinated biphenyls (PCBs). The two existing residences may contain household hazardous wastes such as automotive maintenance products, gasoline, paints, solvents, and pesticides.

Impact: The existing buildings on the project site could contain ACMs, lead-based paint, and/or PCBs. Demolition of these structures could expose construction workers or other persons in the vicinity to harmful levels of asbestos, lead, and/or PCBs.

Mitigation and Avoidance: Conformance with the following regulatory mitigations will reduce health risks associated with friable asbestos, lead paint, and PCBs to a less than significant level:

- Asbestos surveys will be conducted for the two buildings, as required under National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines. In

addition, NESHAP guidelines require that all potentially friable asbestos-containing materials be removed prior to activities that may disturb the materials.

- As appropriate, a lead survey of painted surfaces and soil around buildings will be performed prior to demolition. Requirements in the California Code of Regulations will be followed during demolition activities, including employee training, employee air monitoring and dust control. Any debris or soil containing lead-based paint or coatings will be disposed of at landfills that meet acceptance criteria for the waste being disposed.

- The Department of Toxic Substances Control (DTSC) considers fluorescent light tubes containing PCBs Universal Wastes that require proper handling and disposal. All fluorescent light tubes containing PCBs found on the project site will be disposed at an appropriate recycling facility.

Impact: Household hazardous wastes such as automotive maintenance products, gasoline, paints, solvents, and pesticides, may be stored at the two existing residences on the project site.

Mitigation and Avoidance: To ensure that these materials are properly disposed of, the following mitigation measure is included in the proposed project:

- Prior to demolition of the existing residences, all household hazardous materials will be collected and disposed at a Household Hazardous Waste Collection Site.

3. Conclusion

The proposed project, with implementation of the above mitigation measures, will not result in significant hazardous material impacts.

H. HYDROLOGY AND WATER QUALITY

1. Setting

Large areas of pervious surfaces surround the existing development on the project site and, therefore, existing runoff rates from the project site are low. Runoff from the site currently sheet flows into the remnant section of Dry Creek located on the east side of the project site, where it percolates into the ground.

According to the Federal Emergency Management Agency's Flood Insurance Rate Maps, the project site is not located within a floodplain[8].

2. Environmental Checklist and Discussion

HYDROLOGY AND WATER QUALITY						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒	☐	1,2
2) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐	☐	1,2
3) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☐	☒	☐	1
4) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or off-site?	☐	☐	☒	☐	☐	1

[8] National Flood Insurance Program, Flood Insurance Rate Map, Community Panel Number 060337 0245 D, August 2, 1982.

HYDROLOGY AND WATER QUALITY						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
5) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐	☐	1,2
6) Otherwise substantially degrade water quality?	☐	☐	☒	☐	☐	1
7) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒	☐	1,8
8) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒	☐	8
9) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒	☐	1,2
10) Be subject to inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒	☐	1,2

Discussion: The project proposes to construct 21 residential units on the eastern half of the project site and expand the existing Congregation Sinai religious facility on the western half of the project site. Fifty seven percent of the parking spaces for the expanded Congregation Sinai religious facility will be on "grasscrete" and the remainder will be on conventional pavement. "Grasscrete" consists of porous reinforced concrete, which allows for a stable yet permeable surface that results in substantially less runoff than normal pavement. Nevertheless, the impervious areas on the project site will substantially increase.

Drainage

Stormwater runoff from the proposed project will continue to flow into the remnant segment of Dry Creek located on the eastern side of the project site. Runoff from the proposed project will be collected by a series of catch basins located throughout the project site and diverted over grassy swales into the remnant section of Dry Creek, where it will percolate into the soil. There will be two outfalls into the Dry Creek area. Flow dissipaters and other erosion control measures will be used at each outfall location to prevent erosion.

Preliminary calculations indicate that the segment of Dry Creek channel within the boundaries of the project site is capable of handling the additional stormwater runoff resulting from the proposed project. A berm will be constructed along the eastern edge of the

channel to prevent runoff from flowing onto adjacent properties. Prior to obtaining a grading permit, a hydrology report will be prepared to verify the ability of the drainage system to handle stormwater runoff from the proposed project.

The project site is not located within a 100-year flood zone, is not subject to seiche or tsunami, and will not expose people or structures to flooding as a result of dam failure.

Water Quality

Due to increases in vehicle use and human activity, the amount of pollution carried by runoff from the proposed project will increase. As stated previously, however, stormwater runoff from the site will remain on-site. Runoff from the proposed project will be collected by a series of catch basins located throughout the project site and diverted over grassy swales into the remnant section of Dry Creek, where it will percolate into the soil. Therefore, runoff from the proposed project will not substantially affect water quality off-site.

In addition to erosion and sedimentation, construction-related activities associated with the proposed building demolition and construction, such as the storage of materials and the cleaning of equipment, could also result in stormwater pollution.

The City of San José has been issued a Municipal Permit under the National Pollution Discharge Elimination System program which covers implementing Best Management Practices during construction and post-construction periods.

Impact: Implementation of the proposed project could result in increased stormwater pollution, particularly during construction.

Mitigation and Avoidance: The following mitigation measures will reduce water quality impacts to a less than significant level:

- The project will comply with the City of San José Grading Ordinance, including erosion- and dust-control during site preparation and with the City of San José zoning ordinance requirement for keeping adjacent streets free of dirt and mud during construction. The following specific measures will be implemented to prevent storm water pollution and minimize potential sedimentation during construction.
    - restricting grading to the dry season or meeting City requirements for grading during the rainy season;
    - using Best Management Practices to retain sediment on the project site;
    - providing temporary cover of disturbed surfaces to help control erosion during construction; and
    - providing permanent cover to stabilize the disturbed surfaces after construction has been completed.
- The project will comply with the NPDES General Construction Activity Storm Water Permit administered by the Regional Water Quality Control Board. Prior to construction grading for the proposed land uses, the applicant will file a "Notice of Intent" (NOI) to comply with the General Permit and prepare a Storm Water

Pollution Prevention Plan (SWPPP) which addresses measures that will be included in the project to minimize and control construction and post-construction runoff. The following measures will be included in the SWPPP:

- Preclude non-storm water discharges to the storm water system.
- Effective, site-specific Best Management Practices for erosion and sediment control during the construction and post-construction periods.
- Coverage of soil, equipment, and supplies that could contribute non-visible pollution prior to rainfall events or perform monitoring of runoff.
- Monitoring of discharges to the storm water system.

The project will submit a copy of the draft SWPPP to the City of San José Department of Environmental Services for review and approval prior to construction of the project. The certified SWPPP will be posted at the project site and will be updated to reflect current site conditions.

When the construction phase is complete, a Notice of Termination (NOT) for the General Permit for Construction will be filed with the Regional Water Quality Control Board and the City of San José Department of Environmental Services. The NOT will document that all elements of the SWPPP have been executed, construction materials and waste have been properly disposed of, and a post-construction storm water management plan is in place as described in the SWPPP for the site.

- As part of the mitigation for post-construction runoff impacts addressed in the SWPPP, the project will implement regular maintenance activities (i.e., sweeping, maintaining vegetative swales, cleaning storm water inlet filters, litter control) at the site to prevent soil, grease, and litter from accumulating on the project site and contaminating surface runoff. Storm water catch basins will be stenciled to discourage illegal dumping.

3. Conclusion

The proposed project, with implementation of the mitigation measures above, will not result in substantial pollution of water discharged to the existing storm water collection systems, and will have no significant impacts on flooding, or on the capacity of the storm water collection system.

I. LAND USE

1. Setting

Existing Land Uses

The approximately four-acre project site is currently developed with the Congregation Sinai religious facility and two single-family residential houses. The Congregation Sinai religious facility is located on the western half of the site and includes a sanctuary, social hall, classrooms, preschool, and a paved parking lot. The single-family residences are located on the eastern half of the project site. The majority of the project site is undeveloped and consists of urban landscaping and ruderal vegetation. There are 195 trees on the project site.

Surrounding Land Uses

The project site is located in a residential neighborhood. Single-family residential uses are located to the north and east of the project site and multi-family residential units are located to the west and south of the project site. An aerial photograph of the project site and the surrounding land uses is shown on Figure 3.

Existing Zoning and General Plan Land Use Designation

The project site is zoned R-1-8 (Residential). The R-1 zone district is for single-family detached residential uses. City of San José's General Plan Land Use designation for the project site is *Medium Density Residential* which allows for up to eight dwelling units per acre (8 DU/AC).

2. Environmental Checklist and Discussion

LAND USE						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Physically divide an established community?	☐	☐	☐	☒	☐	1
2) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐	☐	1,2,4, 9
3) Conflict with any applicable habitat conservation plan or natural community conservation plan	☐	☐	☐	☒	☐	1,9

Discussion: The project proposes expansion of the existing Congregation Sinai religious facility and construction of up to 21 single-family detached residential houses. The project includes rezoning the site from R-1-8 (Residential) to a PD zone. As stated in **Section II. G. Consistency with Plans and Policies** (page 12) the development of up to 21 single-family homes on the eastern half of the project site is allowed under the Two-Acre Rule within a PD zone district. The expansion of the existing Congregation Sinai religious facility does not include any new uses that will substantially differ from the existing uses that presently occur on the project site. Therefore, the proposed project is consistent with the City's General Plan and zoning ordinance.

The new residences will be of similar density and scale of existing residential development in the project area and the proposed uses at the expanded religious facility will be essentially the same as existing uses. There are no existing uses on or adjacent to the project site that are incompatible with the proposed project. Therefore, the proposed project will be compatible with existing development and will not divide an established community.

The project does not conflict with any established habitat conservation plan or natural community conservation plan.

3. Conclusion

The proposed project will not result in significant land use impacts to the adjacent neighborhood or nearby land uses.

I. MINERAL RESOURCES

1. Setting

The project site is developed and located in a developed urban area. The site does not contain any known or designated mineral resources.

2. Environmental Checklist

MINERAL RESOURCES						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒	☐	2
2) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒	☐	2

3. Conclusion

The project will not result in a significant impact from the loss of availability of a known mineral resource.

J. NOISE

1. Setting

Noise may be defined as unwanted sound. Noise is usually objectionable because it is disturbing or annoying. Noise is measured using the decibel (dB) scale that is adjusted for the human range of hearing. The zero on the adjusted decibel scale (dBA) is based on the lowest sound level that the healthy, unimpaired human ear can detect.

Existing Noise Environment

The project site is located in a residential neighborhood, and as can be expected ambient noise levels in the project area are low. The primary sources of noise affecting the project site is vehicle traffic along Willowbrae Avenue and activity from the surrounding residential uses. The project site is not near or under a flight path and, therefore, is not exposed to excessive aircraft noise.

2. Environmental Checklist and Discussion

NOISE						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project result in:						
1) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐	☐	1,2
2) Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒	☐	1,2
3) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐	☐	1,2
4) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☒	☐	☐	☐	1,2
5) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒	☐	1,7

NOISE						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project result in:						
6) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒	☐	1,7

Discussion: The project site is located in a residential area with low ambient noise levels. The site is not located near major thoroughfares, train tracks, or freeways; nor is it located under an airport flight path. Noise from the surrounding residential uses will not affect the proposed project and, after construction, noise from the proposed project will not affect surrounding land uses. The expanded Congregation Sinai religious facility will contain essentially the same uses as the existing facility and, therefore, is not expected to substantially increase noise levels in the project area. The proposed residences will create noise levels similar to the existing single-family and multi-family residential development surrounding the project site.

Project-generated traffic would incrementally increase noise levels on Willowbrae Avenue. This small increase, however, is not expected to be perceptible[9].

Construction Noise

Construction activities generate noise. Development of the proposed project will temporarily increase noise levels at the adjacent residential uses. Typical hourly average noise levels during busy construction periods range from 75 dBA to 80 dBA measured at a distance of 100 feet from the construction site. These noise levels drop off at a rate of 6 dBA per doubling of distance (i.e., a noise of 86 dBA measured at a distance of 50 feet would measure 80 dBA at a distance of 100 feet.). Noise levels produced by heavy-equipment may interfere with normal residential activities during busy construction periods. This is a potentially significant noise impact.

Impact: Implementation of the proposed project will result in an increase of noise levels in the project area during construction activities, which would result in a significant temporary impact.

Mitigation and Avoidance: The following mitigation is included in the project to reduce temporary noise impacts from construction to a less than significant level.

- Limit construction to the hours of 7:00 AM to 7:00 PM on weekdays, and 9:00 AM to 5:00 PM on Saturdays, with no noise-generating construction on Sundays or holidays.

- Equip all internal combustion engine-driven equipment with mufflers which are in good condition and appropriate for the equipment.

[9] Typically traffic volumes must double for a perceptible (3dB) in ambient noise levels.

- Utilize “quiet” models of air compressors and other stationary noise sources where technology exists.

- Locate stationary noise-generating equipment as far as possible from sensitive receptors when sensitive receptors adjoin or are near a construction project area.

- Prohibit unnecessary idling of internal combustion engine.

- Designate a “noise disturbance coordinator” who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the non-complaint(s) (e.g., starting too early, bad muffler, etc.) and institute reasonable measures warranted to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site.

3. <u>Conclusion</u>

Implementation of the above mitigation measures would reduce temporary noise impacts from construction of the project to less than significant levels.

K. POPULATION AND HOUSING

1. Setting

Currently the City of San José has a job/housing imbalance. This is a regional pattern for Santa Clara County, where there are more jobs than housing in the northwest sector of the county, and more housing than jobs in the eastern and southern areas (San José) of the county. According to the Association of Bay Area Governments (ABAG), the City of San José's population for 2000 was 941,998, with 515,672 employed residents and 442,670 jobs. Santa Clara County's population was 1,682, 585, with 959,071 employed residents and 1,092,330 jobs. This results in a ratio of employed residents to jobs for San José of 1:0.85 for San José and 1:1.13 for Santa Clara County. A comparison of the City of San José's employed residents versus jobs ratio to Santa Clara County's indicates a higher percentage of the County's population resides in San José and travels outside the City for employment. This geographic pattern results in traffic congestion and air pollution.

There are two existing single-family residences on the project site.

POPULATION AND HOUSING						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐	☐	1
2) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐	☐	1
3) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐	☐	1

2. Environmental Checklist and Discussion

The proposed project will replace two existing single-family residences on the project site with up to 21 single-family residences, resulting in a net increase of 19 housing units on the infill site. The proposed project will not require the construction of replacement housing due the loss of housing or the displacement of people. Although the proposed project will incrementally increase the City's imbalance of jobs compared to employed residents, the project is consistent with the General Plan designation for the project site and, therefore, is consistent with the population and growth assumptions of the City's General Plan. Therefore, the proposed project will not directly or indirectly induce substantial population growth.

3. Conclusion

The proposed project will not result in significant adverse impacts on population and housing in the City or region.

L. PUBLIC SERVICES

1. Setting

Police Service

Police protection services are provided to the project site by the City of San José Police Department (SJPD). Officers patrolling the project area are dispatched from police headquarters, located at 201 West Mission Street. The SJPD presently consists of approximately 1,411 sworn officers and 402 civilian personnel.

Fire Service

Fire protection to the project site is provided by the San José Fire Department (SJFD), which serves a total area of 203 square miles. The San José Fire Department responds to all fires, hazardous material spills, and medical emergencies (including injury accidents) in the project area. It is the San José Fire Department's goal to not exceed four minutes for the "first response" and six minutes for the "second response" times. The closest fire station to the project site is Station #6, located at the corner of Cherry Avenue and Minnesota Avenue, less than one-half mile east of the site.

Schools

The City of San José is served by a total of 19 public school districts, serving elementary, middle, and high school students. The project site is located within the Campbell Union School District for elementary and intermediate students, and the Campbell Union High School District for high school students.

Parks

The three closest parks to the project site are Bramhall Park, River Glen Park and Los Gatos Creek Park. Bramhall Park is located less than one-half mile north of the project site and is a neighborhood park. River Glen Park is approximately one and one-quarter miles east of the site and is also a neighborhood park. Los Gatos Creek Park, a regional park, is located just over one-half mile west of the site.

Libraries

The San José Public Library System consists of one main library and 17 branch libraries. The Dr. Martin Luther King Junior Main Library is located adjacent to the Convention Center downtown, and the 17 library branches are located throughout the City. The nearest branch library to the site is the Willow Glen Branch Library at 1157 Minnesota Avenue. All branch libraries are planned to be expanded over the next ten years with funding from the Measure O Library Bond approved by the City voters in 2000.

2. Environmental Checklist and Discussion

PUBLIC SERVICES						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:						
Fire Protection?	☐	☐	☒	☐	☐	1
Police Protection?	☐	☐	☒	☐	☐	1
Schools?	☐	☐	☒	☐	☐	1
Parks?	☐	☐	☒	☐	☐	1
Other Public Facilities?	☐	☐	☒	☐	☐	1

Discussion:

Fire and Police Protection

The construction of up to 21 single-family housing units and the expansion of the existing Congregation Sinai religious facility could result in an incremental increase in demand for fire and police protection, as a result of increased use of the site. The project will be constructed in conformance with current codes, including features that will reduce potential fire hazards. The project design will also be reviewed to ensure that it incorporates appropriate safety features to minimize criminal activity. Although the project would incrementally increase the demands of the fire and police services, it will not require the development of new fire or police facilities and, therefore, would not result in a significant impact related to the provision of fire and police protection.

Schools

The proposed project will allow the construction of up to 21 residential units on the project site. Based upon the school district's student generation rate, the proposed project will increase enrollment at the Campbell Union School District by approximately one student and the Campbell Union High School District by approximately four students[10]. This increase is not expected to exceed the school's capacities and, therefore, will not result in a significant impact to school facilities.

[10] Campbell Union School District student generation rate of 0.05 and the Campbell Union High School District student generation rate of 0.17.

State law (Government Code Section 65996) specifies an acceptable method of offsetting a project's effect on the adequacy of school facilities as the payment of a school impact fee prior to issuance of building permit. In San José, future development project applicants can either negotiate directly with the affected school district(s), or they can make a "presumptive payment" of $1.93 per square foot for multi-family units. The school district is responsible for implementing the specific methods for mitigating school effects under the Government Code. The school impact fees and the school districts' methods of implementing measures specified by Government Code 65996 would partially offset project-related increases in student enrollment.

Parks

The City of San José's Parkland Dedication Ordinance requires that new residential development either dedicate sufficient space to serve new residents (refer to **Section IV., N., Recreation**), or pay fees calculated to offset the increased costs of providing new park facilities for new development. This new ordinance is intended to reduce the extent to which new development will exacerbate the existing shortfall of park and recreational facilities. The project will pay the appropriate fees.

Construction of the proposed project is not expected to increase demand on existing parks to such an extent as to cause a substantial physical decline.

Libraries

Construction of the proposed project is not anticipated to substantially increase demand on libraries in the project area.

3. Conclusion

The construction of up to 21 single-family dwelling units and the expansion of the existing Congregation Sinai religious facility will not result in substantial adverse physical impacts associated with a need for new government, school, park, or library facilities in order to maintain acceptable levels of service or to meet the performance objectives for public services. The proposed project will, therefore, result in a less than significant impact upon public services.

N. RECREATION

1. Setting

The City of San José provides park lands, open space, and community facilities for public recreation and community services. Some of these facilities are provided in conjunction with, or are supplemented by, other public uses such as County parks and lands used for flood control purposes. Parks and recreation facilities vary in size, use, type of service, and provide for city, regional, and neighborhood uses. The City Department of Parks, Recreation and Neighborhood Services is responsible for the construction, operation and maintenance of all City parks and recreational facilities.

The City of San José has established level of service benchmarks for park land and community centers. These levels of service area as follows: 3.5 acres of neighborhood and community serving recreational lands per 1,000 population, of which a minimum of 1.5 acres must be City owned neighborhood or community park lands, up to 2 acres can be provided by school playgrounds, and all should be located within reasonable walking distance; 7.5 acres of regional/City-wide park lands per 1,000 population; and 500 square feet of community center space per 1,000 population. These goals have not been met within the City.

The three closest parks to the project site are Bramhall Park, River Glen Park and Los Gatos Creek Park. Bramhall Park is located less than one-half mile north of the project site and is a neighborhood park. River Glen Park is approximately one and one-quarter miles east of the site and is also a neighborhood park. Los Gatos Creek Park, a regional park, is located just over one-half mile west of the site.

2. Environmental Checklist and Discussion

RECREATION						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐	☐	1
2) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒	☐	1

Discussion: The proposed project includes the expansion of the existing Congregation Sinai religious facility and the construction of up to 21 single-family residential units. The project does not include the construction of recreational facilities. While the project will incrementally increase the use of recreational facilities in the project area, it is not expected to substantially increase demand on existing recreational facilities such that physical deterioration will be accelerated.

3. Conclusion

The proposed project will not result in any significant impacts on the environment as a result of the use or construction of recreational facilities.

M. TRANSPORTATION/TRAFFIC

The following discussion is based upon a traffic analysis completed by *Fehr and Peers Asssociates, Inc*., on May 9, 2003. The report is included as Appendix E of this Initial Study.

1. Setting

The purpose of this analysis is to identify the potential impacts of the proposed development on the transportation system in the vicinity of the project site. Project impacts were evaluated following the guidelines of the City of San José and the Santa Clara Valley Transportation Authority (VTA), which is the congestion management agency for Santa Clara County. The following key intersections were analyzed for this project:

- Meridian Avenue and Minnesota Avenue
- Meridian Avenue and Willow Oaks Drive
- Meridian Avenue and Willowbrae Avenue
- Meridian Avenue and Hamilton Avenue

Existing Traffic Volumes and Lane Configurations

The key intersections were analyzed under weekday AM and PM peak-hour traffic conditions. Peak conditions usually occur during the morning and evening commute periods between 7:00 and 9:00 am, and between 4:00 and 6:00 pm, respectively. Intersection operations were evaluated for the one hour during each of these periods with the highest measured traffic volumes. Available existing peak-hour traffic counts were obtained and supplemented with new counts conducted on May 7, 2003.

Intersections

The level of service methodology approved by the City of San José and the VTA evaluates an intersection's operation based on the average stopped vehicular delay calculated using methods described in Chapter 9 of the *1985 Highway Capacity Manual* with adjusted saturation flow rates. The average delay for signalized intersections is calculated using the TRAFFIX analysis software and is correlated to a level of service designation as shown in Table 2. The level of service standard for City of San José intersections is LOS D.

For unsignalized intersections (stop-sign controlled), the level of service calculations were conducted using the methodology contained in Chapter 17 of the *2000 Highway Capacity Manual*, as summarized in Table 3.

Existing Intersection Levels of Service

Current operations of the study intersections were evaluated with the existing volumes, existing lane configurations, and signal phasings/timings used as inputs to the TRAFFIX level of service calculation program. The results are presented in Table 4. The level of service calculation sheets are contained in Appendix E. The intersection of Meridian Avenue/Hamilton Avenue is currently operating at an unacceptable level (LOS E) during the PM peak hour. The intersection of Meridian Avenue/Minnesota Avenue is operating at LOS C or better during both peak hours. The stop-controlled movements on Willow Oaks Drive and Willowbrae Avenue currently operate at LOS C during the AM peak hour and LOS B during the PM peak hour.

Table 2: Signalized Intersection Level of Service Definitions		
Level of Service	**Description**	**Average Stopped Delay Per Vehicle (Seconds)**
A	Operations with very low delay occurring with favorable progression and/or short cycle length.	≤ 5.0
B+ B B-	Operations with low delay occurring with good progression and/or short cycle lengths.	5.1 to 7.0 7.1 to 13.0 13.1 to 15.0
C+ C C-	Operations with average delays resulting from fair progression and/or longer cycle lengths. Individual cycle failures begin to appear.	15.1 to 17.0 17.1 to 23.0 23.1 to 25.0
D+ D D-	Operations with longer delays due to a combination of unfavorable progression, long cycle lengths, and high V/C ratios. Many vehicles stop and individual cycle failures are noticeable.	25.1 to 28.0 28.1 to 37.0 37.1 to 40.0
E+ E E-	Operations with high delay values indicating poor progression, long cycle lengths, and high V/C ratios. Individual cycle failures are frequent occurrences.	40.1 to 44.0 44.1 to 56.0 56.1 to 60.0
F	Operations with delays unacceptable to most drivers occurring due to over-saturation, poor progression, or very long cycle lengths.	> 60.0
Source: VTA's CMP *Transportation Impact Analysis Guidelines*, May 7, 1998, and Transportation Research Board, *Highway Capacity Manual*, Special Report 209, 1994.		

Table 3: Level of Service Criteria for Unsignalized Intersections		
Level of Service	**Description**	**Average Control Delay Per Vehicle (Seconds)**
A	Little or no delay	≤ 10.0
B	Short traffic delays	10.1 to 15.0
C	Average traffic delays	15.1 to 25.0
D	Long traffic delays	25.1 to 35.0
E	Very long traffic delays	35.1 to 50.0
F	Extreme traffic delays with intersection capacity exceeded	> 50.0
Source: Transportation Research Board, *Highway Capacity Manual*, 2000.		

Table 4: Existing Intersection Levels of Service					
Intersection	**Type of Control**	**Peak Hour**	**Count Date**	**Delay[1]**	**LOS[2]**
Meridian/Minnesota	Signal	AM PM	4/16/02	13.3 18.7	B- C
Meridian/Hamilton	Signal	AM PM	4/16/02	33.3 40.6	D E+
Meridian/Willow Oaks Dr	Two Way Stop	AM PM	5/7/03	22.6 14.2	C B
Meridian/Willowbrae Ave	Two Way Stop	AM PM	5/7/03	23.0 14.8	C B

Notes:
1 Average stopped delay in seconds per vehicle for signalized intersections and average control delay for worst-operating movement or approach for unsignalized intersections.
2 LOS = Level of service calculations performed using TRAFFIX software and the 1985 Highway Capacity Manual (HCM) methodology for signalized intersections and the 2000 HCM methodology for unsignalized intersections.

Source: Fehr & Peers Associates, Inc. May 2003

Background Conditions

Background conditions are defined as conditions prior to completion of the proposed development. Traffic volumes for background conditions comprise existing volumes from counts plus traffic generated by approved but not yet completed developments in the area. There are no approved projects that will add traffic to the study intersections; therefore, background conditions are the same as existing conditions and are not evaluated.

Existing Transit Service

Bus service in San José is operated by the Santa Clara Valley Transportation Authority (VTA). Three bus routes (Routes 63, 25, 82) operate within one-half mile of the project site.

Route 63 operates on Meridian Avenue near the project site, with service from Almaden Valley to San José State University. Weekday service is provided with 25- to 45-minute headways, and weekend service is provided with 60-minute headways. Existing bus stops for Route 63 are located at the intersection of Meridian Avenue and Willowbrae Avenue.

Route 25 operates on Willow Street north of the project site, with service from East San José to De Anza College in Cupertino. Weekday service is provided with 10- to 20-minute headways, and weekend service is provided with 15- to 30-minute headways.

Route 82 operates on Hamilton Avenue south of the project site, with service from Westgate Shopping Center to 19th Street/Mission Street in San José. Weekday service is provided with 30-minute headways, and weekend service is provided with 45-minute headways.

Existing Pedestrian and Bicycle Facilities

Pedestrian facilities comprise sidewalks, crosswalks, and pedestrian signals. Sidewalks are provided on both sides of Meridian Avenue near the project site. Crosswalks and pedestrian signals are provided at the two key signalized intersections. Sidewalks are provided along the south side of Willowbrae Avenue except for a section along the project site frontage. Sidewalks are partially provided on the north side of Willowbrae Avenue.

Bicycle facilities comprise bike paths, bike lanes, and bike routes. Bike paths are paved trails that are separated from the roadways. Bike lanes are lanes on roadways designated for use by bicycles by striping, pavement legends, and signs. Bike routes are roadways that are designated for bicycle use with signs. There are no designated bike facilities near the project site.

2. Environmental Checklist and Discussion

TRANSPORTATION/TRAFFIC						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio of roads, or congestion at intersections)?	☐	☐	☒	☐	☐	13
2) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐	☐	13
3) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒	☐	1,7
4) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?	☐	☐	☐	☒	☐	13
5) Result in inadequate emergency access?	☐	☐	☐	☒	☐	1,13
6) Result in inadequate parking capacity?	☐	☐	☒	☐	☐	1,4,14
7) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☒	☐	1,13

Discussion: For the purposes of this project, a traffic impact is considered significant if the project would:

- Cause a *local* City of San José intersection to deteriorate below LOS D, or if the intersection is already operating at LOS E or F, cause an increase in the average stopped delay for the critical movements by four seconds or more *and* the critical V/C value to increase by 0.01 or more.

Project Conditions

First, the methodology used to estimate the amount of traffic generated by the proposed project is described. Then, results of the level of service calculations for project conditions are presented. Project impacts are then identified by comparing the LOS results under project conditions to those under background conditions.

Project Traffic Estimates

The amount of traffic associated with a project is estimated using a three-step process: (1) trip generation, (2) trip distribution, and (3) trip assignment. In the first step, the amounts of traffic entering and exiting the project site are estimated on a daily and peak-hour basis. In the second step, the directions the trips use to approach and depart the site are estimated. The trips are assigned to specific street segments and intersection turning movements in the third step. The results of this process for this analysis are described in the following sections.

Trip Generation

The Congregation Sinai site currently has a sanctuary, social hall, classrooms, and a preschool. The sanctuary is used for religious services held regularly on Saturdays and Sundays and on Jewish holidays. The Congregation Sinai also runs a nursery school Monday through Friday from 8:30 am to 2:00 pm and a religious school on Sundays and on Wednesday afternoons from 4:20 pm to 6:00 pm. The proposed project would demolish the existing buildings except for the sanctuary, remodel the existing sanctuary into classrooms, and construct new facilities for a sanctuary, preschool, and administrative offices. Appendix E contains a table provided by Congregation Sinai regarding the proposed schedule and expected future enrollment of the nursery and religious school. The current enrollment of the nursery school is 39 students and the religious school has 30 students. The Congregation expects that the nursery school would expand to 50 students and the religious school would remain at 30 students.

The trip generation estimates for the proposed nursery school expansion was based on rates for a day care center published in the *Interim Guidelines for Traffic Impact Analysis of Land Developments* (City of San Jose Department of Public Works, June 1994). Based on these rates, the proposed nursery school expansion would generate a total of 52 daily trips, of which ten will be in the AM peak-hour. Because the nursery school ends at 2:00pm, no PM peak-hour trips would be generated by the nursery school. The project does not propose the expansion of any other weekday peak-hour generators.

The trip generation estimate for the proposed residential development was based on rates for single-family detached homes published in the *Interim Guidelines for Traffic Impact Analysis of Land Developments* (City of San José Department of Public Works, June 1994). The proposed development (the single-family homes and Congregation Sinai expansion) is

estimated to generate a total of approximately 24 AM peak-hour trips (10 inbound and 14 outbound), and 22 PM peak-hour trips (14 inbound and eight outbound). A summary of the trip generation rates and estimates are presented in Table 5.

Table 5: Project Trip Generation Estimates

Use	Size	Weekday		AM Peak Hour				PM Peak Hour			
		Rate[1]	Trips	Rate[1]	In	Out	Total	Rate[1]	In	Out	Total
Nursery School	11 students	4.7	52	0.89	5	5	10	0	0	0	0
Single-Family Residential	22 d.u.	9.9	218	0.99	8	14	22	0.99	14	8	22
Total			**270**		**13**	**19**	**32**		**14**	**8**	**22**

Notes:
1 Trips per student or per dwelling unit. Source of rates: City of San José, *Interim Guidelines for Traffic Impact Analysis of Land Developments*, 1994.

Trip Distribution

The trip distribution pattern for the proposed residential development was estimated based on existing travel patterns in the vicinity of the site and the relative locations of complementary land uses in the area. The major directions of approach and departure for the project site are provided in Appendix E.

Trip Assignment

Trips generated by the proposed project were assigned to the roadway system based on the directions of approach and departure described above. The trip assignments for both AM and PM peak hours are provided in Appendix E. Project trips were added to existing traffic volumes to estimate volumes under Project Conditions as provided in Appendix E.

Project Intersection Levels of Service

Intersection level of service calculations were conducted to evaluate the operating conditions of the intersections with project traffic and the potential impacts of the proposed project on the local roadway system. The results of the intersection level of service calculations for existing and project conditions for the study intersections are summarized in Table 6. The increases in critical movement delays due to the addition of project traffic for the study intersections are also shown in Table 6. The LOS calculation sheets are contained in Appendix E.

The results of the level of service calculations indicate that the key signalized intersections and the unsignalized intersection at Willow Oaks/Meridian Avenue will continue operating at the same level of service during both peak hours under project conditions as under existing conditions. The project will not increase the average stopped delay of the critical movement or the critical volume to capacity ratio at the signalized intersection of Hamilton Avenue/Meridian Avenue during the PM peak hour. Although the unsignalized intersection at Willowbrae Avenue/Meridian Avenue will worsen to LOS D during the AM peak hour and

LOS C during the PM peak hour, it will continue to operate at LOS D or better. Access to the residential portion of the project will add a third leg to the intersection of Willowbrae Avenue and Willow Oaks Drive. This intersection was also evaluated and the project's residential driveway will operate at LOS A during both peak hours. Therefore, the proposed project will not result in a significant impact to any of the study intersections.

Table 6: Summary of Intersection Levels of Service

Intersection	Peak Hour	Existing		Existing + Project			
		Delay[1]	LOS[2]	Delay[1]	LOS[2]	D in Crit. V/C[3]	D in Crit. Delay[4]
Meridian/Minnesota	AM	13.3	B-	13.3	B-	0.002	0.0
	PM	18.7	C	18.7	C	0.002	0.0
Meridian/Hamilton	AM	33.3	D	33.3	D	0.004	0.2
	PM	40.6	E+	40.6	E+	0.000	0.0
Meridian/Willow Oaks Dr	AM	22.6	C	22.5	C	n/a	n/a
	PM	14.2	B	14.1	B		
Meridian/Willowbrae Ave	AM	23.0	C	29.6	D	n/a	n/a
	PM	14.8	B	15.8	C		
Willowbrae Ave/Willow Oaks Dr	AM	n/a	n/a	8.6	A	n/a	n/a
	PM			8.6	A		

Notes:
1 Average stopped delay in seconds per vehicle for signalized intersections and average control delay for worst-operating movement or approach for unsignalized intersections.
2 LOS = Level of service calculations performed using TRAFFIX software and the 1985 Highway Capacity Manual (HCM) methodology for signalized intersections and the 2000 HCM methodology for unsignalized intersections.
3 Increase in the critical volume-to-capacity ratio from Existing to Project Condition.
4 Increase in critical movement delay from Existing to Project Condition.
5

Source: Fehr & Peers Associates, Inc. May 2003

Freeway Segment Level of Service Analysis

According to CMP guidelines, freeway segments to which a proposed development will add trips equal to or greater than one percent of the freeway segment's capacity must be evaluated. The proposed project will add substantially less than one percent to freeway segments in the project area. Therefore, freeway segments were not evaluated and impacts to freeway segments are considered less than significant.

Proposed Parking

Congregation Sinai Religious Facility

The project proposes 86 parking spaces to accommodate the most intense use at the Congregation Sinai religious facility (Saturday Services), which is above the requirement of the City of San José's Zoning Ordinance standard of one parking space per four seats (75 parking spaces). The parking proposed by the project will accommodate up to 344 people. There may be a few days per year (up to three), however, that over 344 people may attend

religious services at the facility. On the days that over 344 people are expected to attend religious services, the Congregation Sinai will provide off-site parking and a shuttle service to and from the religious facility.

Single-Family Residences

As described in **Section III., B., Project Information**, the project proposes alley-access, single-family residences. The parking requirement for alley-access residences is expected to be the same as condominiums. Based on the condominium parking requirements in the City of San José Residential Design Guidelines, the proposed project is required to provide 2.75 parking spaces per unit (58 spaces). The project proposes 2.6 parking spaces per unit (55 spaces), which is three spaces less than the design guideline requirement. Street parking is available in the project area, and the parking shortfall of three cars will likely be made up by three cars parking on Willowbrae or Willow Oak Avenue. While the shortage of three parking spaces may inconvenience the residences in the project area, it will not jeopardize safety or emergency access and result in a significant impact.

Site Access and Circulation

Site access and on-site circulation was reviewed by the project's traffic engineer. The project will construct sidewalks along the site's frontage on Willowbrae Avenue. Based on the driveway configurations and the distribution of parking throughout the site, access to the site will not result in any safety issues, and pedestrian access to the project site is considered adequate. It is recommended that the proposed crosswalk at the entrance to the residential units from Willowbrae Avenue be moved closer to Willowbrae Avenue, to allow drivers to stop close enough to the street to see oncoming traffic from Willow Oak Avenue.

3. Conclusion

The proposed project will not result in significant transportation impacts.

N. UTILITIES AND SERVICE SYSTEMS

1. Setting

The project site is currently developed and is served with sanitary sewer, storm drainage, and water service. Electricity, gas, and solid waste collection service is also currently provided to the site.

Water

Water service to the project site is provided by San José Water Company. Existing water lines in the project vicinity include a six-inch line in Willowbrae Avenue along the project's frontage and a six-inch line in Alta Glen Drive approximately 30 feet south of the project site.

Sanitary Sewer/Wastewater Treatment

Sanitary sewer service and sewage treatment is provided to the project site by the City of San José. There is a six-inch sanitary sewer line in Willowbrae Avenue along the project's frontage. The San José/Santa Clara Water Pollution Control Plant provides tertiary treatment of the wastewater.

Storm Drainage

Storm drainage service is provided to the project site by the City of San José. The nearest storm drainage line to the project site is a 33-inch line in Meridian Avenue approximately 900 feet west of the project site. The curb and gutter along Willowbrae Avenue transports stormwater from the area surrounding the project site to Meridian Avenue. As stated in **Section IV., H., Hydrology and Water Quality**, stormwater runoff from the project site currently drains into the remnant segment of Dry Creek on the site, where it percolates into the ground.

Solid Waste

Solid waste collected from the project site is disposed of at Newby Island Landfill under an agreement with the City of San José and the landfill. Collection of solid waste and recyclables from multi-family housing is provided in San José by Green Team. According to the Source Reduction and Recycling Element prepared for the City of San José and the County wide Integrated Waste Management Plan, there is sufficient land fill capacity to meet the needs of Santa Clara County for at least 28 more years.

2. Environmental Checklist and Discussion

UTILITIES AND SERVICE SYSTEMS						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒	☐	1,2
2) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒	☐	1,2
3) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒	☐	1,2
4) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☒	☐	☐	1,2
5) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐	☐	1
6) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐	☐	1,2
7) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒	☐	1,2

Discussion: The project site is currently served with all necessary utilities. The proposed project site will increase in the demand for wastewater treatment. The existing sanitary sewer system has capacity to serve the project. The proposed project will not will not connect to the City's existing stormwater drainage system. Instead, stormwater runoff from the project site will diverted to the Dry Creek area on the site where it will percolate into the soil (refer to **Section IV., H., Hydrology and Water Quality**).

Depending on final design, the project may connect to the existing water line in Willowbrae Avenue or the water line in Alta Glen Drive or both. If the project connects to the water line in Alta Glen Drive, then an easement will be required from the adjacent property owner to

the south of the project site. There is existing capacity in the water system to serve the project site[11].

3. Conclusion

The proposed project will not exceed the capacity of existing utility systems.

[11] Michelle Fisk, Charlie Davidson and Company Consulting Civil Engineers, April 9, 2003.

O. MANDATORY FINDINGS OF SIGNIFICANCE						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
1) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☒	☐	☐	1,11
2) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐	☐	1
3) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒	☐	1,2,3,4,5,6,7, 8,9,10,11,12, 13,14,15,16

Discussion: The proposed development would contribute incrementally to traffic, air quality, water quality, and noise impacts associated with development in an urban area. Project impacts on the natural and human environment would be less than significant, and mitigation measures have been included in the project to reduce any potential impacts to a less than significant level.

Checklist Sources

1. CEQA Guidelines - Environmental Thresholds (Professional judgment and expertise and review of project plans).
2. 2020 General Plan, *City of San José*, 1994.
3. USDA-Soil Conservation Service, *Santa Clara County Important Farmland Map*, 2000.
4. Zoning Ordinance, *City of San José*, 2001.
5. Bay Area Air Quality Management District, *California Environmental Quality Act Guidelines*, 2001.
6. Lowney Associates, *Geotechnical Investigation Willowbrae Development, 1528 and 1530 Willowbrae Avenue*, April 1, 2003.
7. Airport Land Use Commission, L*and Use Plan for Areas Surrounding Santa Clara County Airports*, September 1992.
8. Federal Emergency Management Agency, *Flood Insurance Rate Map, Community Panel Number 060349 0031 D*, August 2, 1982...
9. Oberding Environmental Inc., *Revised Biological Resources Analysis Letter of Findings for the Willowbrae Property Santa Clara County, CA*, April 14, 2003.
10. HortScience, Inc., *Tree Survey for the Lands of Sinai at Willowbrae Avenue*, San José California, March 17, 2003
11. William Self and Associates, *Archaeology Survey, 1528 Willowbrae Avenue*, San José, California, October 30, 2000.
12. Lowney Associates, *Phase I Environmental Site Assessment Willowbrae Avenue Development San José, CA*, March 21, 2003.
13. Fehr & Peers Transportation Consultants, *Congregation Sinai/Willowbrae Homes Project-Traffic Analysis*, January 2003.
14. City of San José, *Residential Design Guidelines*, February 25, 1997.
15. Cooper-Clark Associates, *Geotechnical Investigation for the City of San José's Sphere of Influence*, 1974.
16. Lowney Associates, *Geotechnical Investigation Congregation Sinai, 1532 Willowbrae Avenue, San José, CA,* April 1, 2003.

V. REFERENCES

Airport Land Use Commission, *Land Use Plan for Areas Surrounding Santa Clara County Airports*, September 1992.

Association of Bay Area Governments, *Projections 2002, Forecasts for the San Francisco Bay Area to the Year 2025*, December 2001.

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William Self and Associates, *Archaeology Survey, 1528 Willowbrae Avenue*, San José, California, October 30, 2000.

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